

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 16, 1970
9:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor LaRue presiding.

Roll Call:

Present: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Absent: Councilman Gage

Invocation was delivered by REVEREND DON STEELE, Grace Nazarene Church.

REQUEST FOR USE OF LAND

MR. ROSS BLUMENTRITT, President of the Northwest Sertoma Club, appeared representing the Sertoma Club in their request for use of City property for an art fair. Councilman MacCorkle moved the Council grant the request of the Northwest Sertoma Club for use of land between West First Street and the Colorado River (lying west of Lamar Boulevard) on July 25th and 26th, for a "Sertoma Art Fair". The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

PARADE

Councilman Price moved the Council grant the request from AQUA FESTIVAL COMMITTEE for a land parade on August 7th, from 7:30 P.M. to 9:30 P.M. The motion seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

ANNEXATION ORDINANCES
Final Passage

Mayor LaRue introduced the following ordinance for its third reading.

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 69.59 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPELGAIT AND J. O. RICE SURVEYS AND 24.08 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE, ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS ATATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage, Johnson (out of room at time of roll call)

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN HEIGHT AND AREA AND CHANGING THE HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 2.8 ACRE TRACT OF LAND, LOCALLY KNOWN AS 700-722 HUNTLAND DRIVE, 6900-6930 NORTH I. H. 35 AND 6901-6931 MARTIN AVENUE, FROM FIRST HEIGHT AND AREA DISTRICT TO THRID HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage, Councilman Johnson present but not voting.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Johnson present but not voting.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Johnson present but not voting.

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance.

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1-5, BLOCK B, RAMSEY PLACE SUBDIVISION AND ONE ACRE TRACT, LOCALLY KNOWN AS 4601-4611 AVENUE A; 406-408 WEST 46th STREET, FROM "A" RESIDENCE FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance.

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 1, 4, 5, 6, 7 OUT OF THE ISAAC DECKER LEAGUE, WOODRUFF BOULEVARD ADDITION, LOCALLY KNOWN AS 700-914 BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman Janes present but not voting.

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance.

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) A 12,750 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 410-416 CLARKE STREET; 421-433 Ben WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;

(2) LOT 2 OF MILLER AND MASON RESUBDIVISION, LOCALLY KNOWN AS 1412-1518 BASTROP HIGHWAY, FROM "GR" GENERAL RETAIL DISTRICT TO "C" COMMERCIAL DISTRICT; AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(3) LOT 22 AND THE SOUTH 15 FEET OF LOT 23, BLOCK 17, HYDE PARK, SECTION 2, LOCALLY KNOWN AS 4104 AVENUE C, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance.

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 7 AND 8, BLOCK 14, HYDE PARK, SECTION 2, LOCALLY KNOWN AS 503 WEST 39TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the

following vote:

Ayes: Councilmen Atkison, Janes, Johnson, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage, Councilman MacCorkle present but not voting.

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE POSTPONED

M. S. BROUGHER
C14-70-104

2718-2800 Sweeney Lane

From "A" Residence
District
To "B" Residence
District

At the City Manager's request, the Council deferred action on the M. S. Brougher Zoning.

RECONSIDERATION OF ZONING APPLICATION

MR. WESLEY PEARSON appeared asking for reconsideration of his zoning application covering property on Congress, Post Road and Krebs Lane. (Zoning File No. C14-69-261) He reviewed his case. When the case was before the Council he found there was a 5' Street dedication, which would take 2000' of his property. He asked the Council to reconsider, permitting him to provide a five foot sidewalk easement so that he would not have to change his entire plan. The City Attorney, MR. DON BUTLER, stated the Council had decided on the zoning change, and now all that is before the Council is the easement, street right of way, or sidewalk area. Then the City Manager, MR. ANDREWS, stated it would be satisfactory if Mr. Pearson would, subject to the City Attorney's approval, grant a sidewalk and utility easement of 5'. Councilman Janes moved the right of way dedication be changed to a sidewalk and utility easement. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

EMPLOYEES' RETIREMENT AND PENSION SYSTEM ORDINANCE

Mayor LaRue introduced the following ordinance.

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN," BY AMENDING ARTICLE VIII, SECTION 1(e) TO ALLOW FOR THE PRORATION OF INVESTMENT COUNSEL EXPENSES BETWEEN THE RETIREMENT FUND AND THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance pass to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

The ordinance was read the second time and Councilman Johnson moved that the rule be suspended and the ordinance pass to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

The Mayor announced that the ordinance had been finally passed.

RECOMMENDATION AND RECOGNITION OF MR.
JUNRENE WEST

MAYOR LaRUE read a letter from MR. EDUARDO E. de ASES, Commissioner of Corpus Christi, commending an Austinite who aided him and his wife while in a troublesome situation, and went quite a bit out of his way to lend the helping hand. The Mayor recognizing Mr. Junrene West and bestowed upon him a Good Neighbor Award for assisting Commissioner and Mrs. E. E. de Ases while visiting in Austin, and once again demonstrated that the term "Friendly City" is a reality.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, being fully aware that the friendliness and hospitality of a City can only be manifested through the individually thoughtful acts of its inhabitants, the City of Austin has long prided itself as "The Friendly City;" and,

WHEREAS, the simple act of assistance toward one of this City's many visitors once again demonstrates that the term "The Friendly City" is not merely a slogan, but, more importantly, a description; and,

WHEREAS, Mr. Junrene West of this City on June 30, 1970, rendered valuable aid to Mr. Eduardo E. de Ases, City Commissioner of the great and historic City of Corpus Christi, enabling Mr. de Ases to expeditiously return to his home City with pleasant memories of our City and of its inhabitants, the nature of said aid being more fully set out in the letter to the Mayor of this City, which letter is attached hereto and made a part of this Resolution; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Mr. Junrene West be officially designated by the City of Austin as the recipient of a "Good Neighbor Award," and that his consideration for the difficulties of others serve to remind us all of the injunction of the Golden Rule; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That this Resolution, duly signed and attested, be delivered to Mr. West as evidence of said Award.

WITNESS OUR HANDS, this the 16th day of July, 1970, A.D.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

HEARING SET ON ANNEXATION ORDINANCE

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That a public hearing be held at 9:30 o'clock A.M., in the City Council Chambers of the City of Austin on the 30th day of July, 1970, for the purpose of providing an opportunity for all interested persons to be heard on consideration of the institution of annexation proceedings with respect to the below described property, to-wit:

12.80 acres of land, same being out of and a part of the Theodore Bissel League in Travis County, Texas, which 12.80 acres of land are more particularly described by metes and bounds as follows:

BEGINNING at a point in the present corporate limit line of the City of Austin as adopted by ordinance dated March 28, 1968, which point of Beginning is the intersection of aline two hundred (200.00) feet south of and parallel to the south line of Berkeley Avenue with the southerly prolongation of the west line of that certain tract of land described as Tract Two in Ordinance No. 671214-B, which point of BEGINNING is the northwest corner of the herein described tract of land, which point of BEGINNING is also in the proposed corporate limit line of the City of Austin, and from which point of BEGINNING the intersection of said south line of Berkeley Avenue with the west line of Manchaca Road bears southeasterly 928 beet, more or less;

THENCE, with the proposed corporate limit line of the City of Austin, S 28 $\frac{1}{2}$ ° 55' W, at 285.00 feet passing an iron stake, in all a distance of 844.86 feet to an iron stake at the southwest corner of the herein described tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin in an easterly direction with the following four (4) courses:

(1) S 59° 52' E 488.78 feet to an iron stake;

(2) N 77° 31' E 18.51 feet to an iron stake;

(3) S 73° 51' E 19.87 feet to an iron stake;

(4) S 60° 47' E 157.48 feet to the southeast corner of the herein described tract of land, same being a point in the aforesaid present corporate limit line of the City of Austin as adopted by ordinance dated March 28, 1968, same being a line two hundred (200.00) feet west of and parallel to the west line of Manchaca Road;

THENCE, with said present corporate limit line as adopted by ordinance dated March 28, 1968, in a northerly and westerly direction to the point of BEGINNING.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and directed to cause a notice of such hearing to be published in a newspaper having general circulation in this City and in the area proposed to be annexed, such publication to be made not more than twenty (20) days, nor less than ten (10) days prior to the hearing.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

SALE OF HOUSES

The City Manager submitted the following:

"To: Mr. Norman McK. Barker, Director of Finance "Date: July 7, 1970

"From: Dick T. Jordan, Building Official

"Subject: Sale of Eleven Houses

"Bids were opened in the office of the Purchasing Agent at 10:00 A.M., Monday July 6, 1970, for the sale of Eleven (11) houses. Listed below are the bidders and their respective bids.

"Houses to be Moved

705 Winsted	\$1800.00	Frame and Masonry Structure Positive bid by Al Crus
2006 W. 9th.	1650.00	Frame Structure Positive bid by Alta B. Hoyl
1400 Newfield	451.87	Frame Structure Positive bid by M. J. Kouri
1704 Newfield	1250.00	Frame Structure Positive bid by Alta B. Hoyl
714 Theresa	251.87	Frame and Masonry Positive bid by M. J. Kouri
1401 Winsted	\$50.00	Frame and Masonry Positive bid by Mrs. R. L. Ogden
East Service Center	No Bid	Frame Structure - Will be offered at a later date

"Houses to be Demolished

2004 W. 9th	\$388.00	Frame Structure Negative Bid by Southwest Wrecking
313 Atlanta	\$388.00	Frame Structure Negative Bid by Southwest Wrecking
315 Atlanta	\$388.00	Frame Structure Negative Bid by Southwest Wrecking
509 Arlington	\$400.00	Frame structure Negative Bid by Vincent Ferrer

(Sgd) Dick T. Jordan, Building Official

(Sgd) Norman McK. Barker, Director of Finance

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 6, 1970, for the sale of six (6) City-owned houses to be moved; and,

WHEREAS, the bid of Al Craus in the sum of \$1,800.00 for the house located at 705 Winsted Lane, the bids of Alta B. Hoyl in the sum of \$1,650.00 for the house located at 2006 West 9th Street and in the sum of \$1,250.00 for the house located at 1704 Newfield Lane, the bids of M. J. Kouri in the sum of \$251.87 for the house located at 714 Theresa, and the bid of Mrs. R. L. Ogden in the sum of \$50.00 for the house located at 1401 Winsted Lane, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Building Official of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of Al Craus, Alta B. Hoyl, M. J. Kouri and Mrs. R. L. Ogden be, and the same are hereby accepted, and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts on behalf of the City with said named parties.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 6, 1970 for the sale of four (4) City-owned houses to be removed from the premises by demolition; and,

WHEREAS, Southwest Wrecking has bid in the sum of \$888.00 to remove the house located at 2004 West 9th, in the sum of \$388.00 to remove the house located at 313 Atlanta and in the sum of \$388.00 to remove the house located at 315 Atlanta, and Vincent Ferrer has bid in the sum of \$400.00 to remove the house located at 509 Arlington; such sums being the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Building Inspector of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above enumerated bids of Southwest Wrecking and Vincent Ferrer be, and the same are hereby accepted, and that L. H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute contracts for the payment of said sum on behalf of the City, with said named parties.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price
Mayor LaRue

Noes: None

Absent: Councilman Gage

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 6, 1970 for the sale of four (4) City-owned houses to be removed from the premises by demolition; and,

WHEREAS, Southwest Wrecking has bid in the sum of \$888.00 to remove the house located at 2004 West 9th, in the sum of \$388.00 to remove the house located at 313 Atlanta and in the sum of \$388.00 to remove the house located at 315 Atlanta, and Vincent Ferrer has bid in the sum of \$400.00 to remove the house located at 509 Arlington; such sums being the lowest and best bids therefor, and the acceptance of such bids has been recommended by the Building Inspector of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the above enumerated bids of Southwest Wrecking and Vincent Ferrer be, and the same are hereby accepted, and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized, to execute contracts for the payment of said sums on behalf of the City, with said named parties.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Absent: Councilman Gage

RESOLUTIONS AWARDING CONTRACTS

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 7, 1970, for Two Hundred (200) Each Steel Street Poles to be used by the Electric Distribution Division; and,

WHEREAS, the bid of General Electric Supply Company in the sum of \$28,714.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Electric Supply Company in the sum of \$28,714.00, be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with General Electric Supply Company.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 26, 1970, for Forty (40) Each Street Light Poles to be used by the Electric Distribution Division; and,

WHEREAS, the bid of General Electric Supply Company in the sum of \$5,403.20 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Electric Supply Company in the sum of \$5,403.20 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with General Electric Supply Company.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 30, 1970, for the installation of approximately 15 linear feet of 12-inch C.I. pipe; 783 feet of 8-inch C.I. pipe and 330 feet of 6-inch C.I. pipe and appurtenances in Austin Park Lane; and,

WHEREAS, the bid of Capitol City Utilities in the sum of \$7,618.10 was the best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Capitol City Utilities in the sum of \$7,618.10 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Capitol City Utilities.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 30, 1970, for the installation of approximately 6,605 feet of 8-inch sanitary sewer pipe and appurtenances in Oasis Village, Sections 1, 2 and 3; and,

WHEREAS, the bid of Bill Tabor Construction Company in the sum of \$60,111.00 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bill Tabor Construction Company in the sum of \$60,111.00 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Bill Tabor Construction Company.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 30, 1970, for the installation of approximately 2,416 linear feet of 8-inch sewer pipe and appurtenances and approximately 2,972 linear feet of 6-inch water main and appurtenances in Pan-Texas East Subdivision; and,

WHEREAS, the bid of Bland Construction Company in the sum of \$30,960.30 was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Bland Construction Company in the sum of \$30,960.30 be and the same is hereby accepted and that L.H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Bland Construction Company.

The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

SALE OF PARCEL IN GLEN OAKS PROJECT
TO MOUNT CARMEL GRAND LODGE

Mayor LaRue announced that this matter had been heard by the Council, and the Council also had a study session to get additional information. The item pertained to the sale of nine acres, and the Urban Renewal recommended that it be sold to the Mount Carmel Grand Lodge for \$76,010.00.

Mr. Connie A. Miller, representing East Austin Opportunities, Inc., pointed out this was not a protest because the E.A.O.I. wanted the property for its own housing project, but a protest on the type of housing to be built in this community. They wanted better housing, and asked the Council not to allow another "221-D-3" housing project in this community. The people in East Austin do not want them; and the people living in that type are dissatisfied. He proposed the "236" houses with more three and four bedroom units instead of the inferior housing Mt. Carmel proposes.

Mr. Frank Hernandez, Housing Consultant with the FHA, and practicing law in Dallas, stated an important matter was that the Urban Renewal Agency met with the Mount Carmel Architects and Technical Assistants and representatives to discuss their program, whereas the other groups had never been invited to such a meeting. He compared the proposals of Mount Carmel with East Austin Opportunities project, stating the latter would provide for 692 people where as Mount Carmel would provide for 536. The one-bedroom units outnumbered all the others, and certainly would not accommodate families. He discussed this item for all three bidders. He asked that the Council not sell this land at this point to Mount Carmel Grand Lodge if they are going to build 56 one-bedroom and 48 two-bedroom units on that project, without air-conditioning.

Mr. Bill Williams III reported figures that the Urban Renewal Relocation Department had developed on actual experience show a strong demand for one-bedroom units, so the Mount Carmel proposal is in line for that percentage in Austin. There will be screens on the doors and windows, but no air-conditioning. However, 220 wiring will be provided so that at the option of the tenant he could air condition his unit.

Councilman MacCorkle was concerned about this housing construction, noting housing had been a major problem for the last 25 or 30 years, and he preferred to look ahead in this public housing and building for the future and not make similar mistakes as had been the case. Councilman Johnson agreed. He suggested that the Council send this back to the Urban Renewal Commission for further study or throw out the bids. He opposed the 221-D-3 type of housing.

Mayor LaRue stated that it seemed the point had just about been reached where the taxpayer has just about been taxed out of business. Millions and millions of "little" individuals are just barely hanging on in an attempt to continue to meet their obligations. Millions of these individuals who would continue to contribute to the welfare of the entire community do not have air-conditioning. He urged that the taxpayer who is doing his best to continue to contribute to this

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community and nation not be pressed to continue to contribute to the point that one feels it is better to go on relief than to continue to pay the taxes. He stated it would be well to recognize the validity of the recommendation of the study made regarding the 221-D-3, and the sale of that property be made to Mount Carmel Lodge.

Councilman Janes concurred totally with Mayor LaRue, stating he would prefer to build five un-airconditioned units than four air-conditioned units.

Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 2, 1970, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 198-70, by which the Board accepted the bid of Mount Carmel Grand Lodge for the purchase of parcel M-1, tracts of land situated in the Glen Oaks Urban Renewal Project No. Tex R-70 and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 198-70, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 17th day of June, 1970, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said property; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 198-70;

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth, in the Bid of Mount Carmel Grand Lodge for the purchase of parcel No. M-1 in the Glen Oaks Urban Renewal Project No. Tex R-70 are hereby approved.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Price, Mayor LaRue

Noes: Councilmen Johnson, MacCorkle

Absent: Councilman Gage

CASH SETTLEMENT IN LIEU OF REFUND CONTRACT

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Windsor Hills, Section 1, have installed a sanitary sewer approach main at a cost of \$58,318.89, pursuant to a subdivision plan called Windsor Hills, Section 1, and have requested an 18%/82% cash settlement of the above amount in lieu of a refund contract; and,

WHEREAS, 82% of the aforementioned \$58,318.89 equals \$47,821.49, which amount is agreed upon as the cash settlement value of said utility lines, in lieu of a refund contract; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin have recommended said cash settlement in lieu of a refund contract; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to execute a cash settlement contract under the terms of which the City of Austin shall acquire title to the above described main from Austex Development Company, Ltd. and to pay to Austex Development Company, Ltd. 82% of the actual cost thereof not to exceed \$47,821.49.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the owners of Windsor Hills, Section 1, have installed a 15 inch sanitary sewer main in lieu of an 8 inch sanitary sewer main with a cost difference of \$5,023.20, pursuant to a subdivision plan called Windsor Hills, Section 1, and have requested that the City participate in the added cost of the 15 inch sanitary sewer main; and,

WHEREAS, the Deputy City Manager and the Director of Water and Waste Water Department of the City of Austin, have recommended said participation;

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Dan H. Davidson, Deputy City Manager, be and he is hereby authorized and directed to enter into a participation agreement under the terms of which the City of Austin shall acquire title to the above described main from Austex Development Company, Ltd., the actual cost of said participation not to exceed \$5,023.20.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

EMINENT DOMAIN

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting, and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to wit:

Being all of Lots 6 & 7 and the East forty (40.00) feet of Lot 8, Block A, Royal Oak, a subdivision in the City of Austin, Travis County, Texas, of record in Book 4 at Page 287 of the Plat Records of Travis County, Texas, which Lots 6 & 7, and the East forty (40.00) feet of Lot 8 were conveyed to Nevenna T. Travis by warranty deed dated June 18, 1968, of record in Volume 3502 at Page 829 of the Deed Records of Travis County, Texas.

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The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Absent: Councilman Gage

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Master Plan of the City of Austin, duly adopted by the City Council of the City of Austin on the 8th day of June, 1961, contemplated the development of Missouri-Pacific Boulevard (now Loop 1) as an indispensable component of the Circulation Plan for the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described property for the development and construction of said Missouri-Pacific Boulevard, together with overpasses, underpasses, access roads, connecting, and interconnecting streets and other public facilities and improvements in connection therewith; and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being all of Lot 5, resubdivision of Block B, Royal Oak Section 3, a subdivision in the City of Austin, Travis County, Texas, according to a map or plat of said resubdivision of Block B Royal Oak Section 3, of record in Book 6 at Page 5 of the Plat Records of Travis County, Texas, which Lot 5 was conveyed to John S. Wade by Warranty Deed dated November 2, 1957, of record in Volume 1870 at Page 229 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Absent: Councilman Gage

APPROVAL OF PARKING SPACES

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Chapter 45 of the Austin City Code of 1967 requires that, within certain specified areas, there be a determination by the City Council as to the number of parking spaces to be required within such area; and,

WHEREAS, Farm and Home Savings Association has made application for such determination which the City Council is of the opinion should be granted as requested; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the request of Farm and Home Savings Association for authorization to provide forty-four (44) parking spaces within the area described in their application of June 22, 1970, is hereby in all things approved.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None
Absent: Councilman Gage

LICENSE AGREEMENT

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a certain license agreement with Southern Pacific Transportation Company, for the installation of a 12-inch cast iron water main beneath the main track of the Austin Branch of the Southern Pacific Transportation Company 312.5 feet south of railroad Mile Post 107, (Mile Post 107.06; Engineer's Station 5652+73), in Decker Lake Road, East of the City of Austin; and in accordance with the terms and provisions of that certain license agreement exhibited to the City Council; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk is hereby directed to file a copy of said license agreement in the permanent records of her office without recordation in the Minutes of the City Council.

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The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price, Mayor LaRue
Noes: None
Absent: Councilman Gage

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a certain license agreement with Missouri-Kansas-Texas Railroad Company, for the installation of a 12-inch cast iron water main beneath the main track of the San Antonio Subdivision of the Missouri-Kansas-Texas Railroad Company 1024.5 feet north of railroad Mile Post 948 (Mile Post 947.8; Chaining Station 2102+83), in Decker Lake Road, East of the City of Austin; and in accordance with the terms and provisions of that certain license agreement exhibited to the City Council; and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk is hereby directed to file a copy of said license agreement in the permanent records of her office without recordation in the Minutes of the City Council.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None
Absent: Councilman Gage

HEARING SET

Councilman Johnson moved the Council set a public hearing for Southern Union Gas Company gas rate increase, for July 30, 1970, at 2:00 P.M. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue
Noes: None
Absent: Councilman Gage

ZONINGS SET FOR PUBLIC HEARING ON SEPTEMBER 3, 1970

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on September 3, 1970:

PAUL S. HILL	501 West 39th St. 500 West 38 1/2 St.	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
CHARLES VILLASENOR	300-308 Allen St.	From "D" Industrial 3rd Height and Area To "C-2" Commercial 3rd Height and Area
CHARLES VILLASENOR	6213-6217 Caddie St. 1700 Montopolis Dr.	From "A" Residence 1st Height and Area To "C-2" Commercial 1st Height and Area
CHARLES VILLASENOR	1213-1215 Montopolis Drive 6300 Porter St.	From "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
ROBERT E. WINTERS	2201-2203 Northland Drive 5610-5614 Montview St.	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
JOHN W. TABOR By Russell Rowland	2022-2026 Ben White 2025 Ivy Trail	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
VIOLET MANOS By Mike Manos	703-709 Hearn St. 702-708 Deep Eddy Ave.	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
PAUL SALDANA	2015 Thrasher Lane	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
HAROLD GENE PATTERSON	8425-8433 U.S. Highway 183	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
O.C. HARDIN	3606 Clawson Rd.	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area

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HOWARD BRUNSON By Chesley Brooks	700-752 Pleasant Valley Road 2700-2728 Gonzales St. 2726-2750 East 7th St.	From "A" Residence & "C" Commercial 1st Height and Area To "C" Commercial 3rd Height and Area
RICHARD CRISS, Trustee By Robert Sneed	2104-2404 Stassney Lane	From Interim "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
TERRELL TIMMERMANN	207-209 Franklin Blvd.	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area
CHURCH OF THE NAZARENE By Steve Price	1001-1003 West Milton 1700-1702 S. 5th St.	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
AUSTEX DEV. COMPANY By Bill Williams	306-312 E. Rundberg La. 9400-9403 North Street	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
B.F. MC COY, ET AL. By John Selman	9414-9532 North Inter- state Hwy. 35	From Interim "A" Residence 1st Height and Area To "C" Commercial 5th Height and Area
AUSTIN HIGHLANDS INV., INC. By John Selman	501-509 Eberhart La. 6400-6402 South Meadows Blvd.	From "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area
NON-COMMISSIONED OFFICERS LIFE INSURANCE CO. By Silas J. Maxwell	506-508 East 38th St.	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
RAY SHAW	713-715 Patterson Ave.	From "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
MRS. NORA BROWN By John Scott	4400-4410 Ave. B. 400 West 44th St.	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area

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ABRAHAM P. YUJA
By Clay Netherland

2115 Northland Dr.

From "LR" Local Retail
1st Height and Area
To "C" Commercial
1st Height and Area

AUSTIN URBAN RENEWAL
AGENCY AND THE CITY
OF AUSTIN

1170-1190 Hargraves St.
2301-2413, 2503, 2603-
2903 E. 12th St.
1187 1/2 - 1199 1/2
Chestnut Avenue
2300-2350 Rosewood Ave.
1150-1152 Walnut Ave.

From "A" Residence,
"B" Residence, "GR"
General Retail, "C"
Commercial 1st Height
and Area
To "A" Residence
1st Height and Area
"B" Residence
2nd Height and Area
"O" Office
1st Height and Area

ESTATE OF WILLIAM H.
MEACHAM
By John Selman

6713-6803 Manor Road

From "LR" Local Retail
1st Height and Area
To "GR" General Retail
1st Height and Area

REVIEW OF TOWN LAKE DEVELOPMENT PLAN

The City Manager announced at the request of the Council, they had prepared a review of the Town Lake Development Plan. The Director of Parks and Recreation, Mr. Beverly Sheffield reviewed the plan approved February, 1968. He pointed out that 62% of the banks adjoining Town Lake belong to the public. He pointed out park areas, the Island Park, Red Bud Isles, University land, Deep Eddy, and a proposed bike and hike trail. He identified the beaches on the north side and the shores on the south side of the lake. KING, TANIGUCHI and SISSMAN were the architects who drew the plan including islands and creative children's playland, open space, walkways and picnic area. It was envisioned that someday the Fish Hatchery site might get back in the hands of the City. He pointed out a hoped-for large park east of Fiesta Gardens. Mr. Sheffield believed the private owners would be cooperative in continuing the hike and bike trails on private property. He stated this fall when they came before the Council with their three-year Capital Improvements Program, there would be interesting projects to choose as priorities. Councilman MacCorkle urged that some of these plans get underway, and suggested that the University be called upon to cooperate in these plans. The Mayor stated it was believed that something could be accomplished in this area if the Council would authorize him to write to Chairman Frank Erwin, Board of Regents that something could be done. The City Manager stated this fall the Council would have an opportunity to decide on priorities of the over all picture and priorities in Parks and Recreation, as the City would have its first financed three-year Capital Improvements Program.

Mr. Woodrow Sledge, Austin School District, suggested that when Mr. Sheffield made his presentation to Mr. Gage that he call in Mr. John Nash, Mr. Emile Jamail the School Board and others interested in the Stephen F. Austin school site.

Councilman Price suggested placing poles in Zilker Park to keep cars from crossing the grassy areas, and placing top soil on the rocks where grass might grow.

Mrs. Ethel Barrow discussed the ordinance prohibiting swimming and wading below Barton Springs, and asked the Council to reconsider this. Councilman Johnson cautioned about the future of these natural assets as they are now in the process of being ruined, and he urged that some of these areas be preserved for the future.

AUSTIN INDEPENDENT SCHOOL DISTRICT TAX SERVICE CONTRACT

The City Manager made a report regarding the School District Tax Service Contract, stating due to the absence of the School Board Chairman at the last meeting, this tax contract matter was deferred until July 20th.

POLICE PENSION PROGRAM

Councilman Janes noted in the news media report that there had been considerable discussion among the policemen about the pension program. The City Manager pointed out the scope of this subject on an overall consideration. He stated he would get this information.

At this point, Councilman Gage entered the Council Chambers.

Councilman Gage asked if the parking lot at the Sanitation Department had been paved. The City Manager stated he would check this and report back.

The Council went into Executive Session.

COUNCIL RECESSED

2:00 P.M.

PUBLIC HEARING-AUSTIN TRANSIT COMPANY'S OPERATING RATIO, PROPOSED ROUTES AND SERVICE CHANGES

Mayor LaRue called the meeting to order opening the hearing on Austin Transit Company's Operating Ratio and Proposed Routes and Service Changes. The hearing first was opened to representatives of the Austin Transit Company for comments or introduction of evidence or testimony. No one from the Austin Transit Company appeared to be heard. Mayor LaRue reported his contact with Mr. Giacomo, President of American Transit Company, as requested by the Council, and extended him an invitation. There was no indication on his part if he or a representative of his office would be present or not. Mr. Malone, Manager, Austin Transit, was invited also to be present.

Members of the Council had just been handed letters dated this date from the American Transit Corporation.

Councilman Janes moved the Council close the public hearing on the Austin Transit Company's Operating Ratio and Proposed Routes and Service Changes. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Johnson, MacCorkle
Price, Mayor LaRue
Noes: None

Mayor LaRue reported a meeting with Vice President Bonesteel, American Transit, and Mr. Malone, Austin Transit, and the City Manager.

The City Manager reported that in line with the direction of the Council on July 14th, that they had looked into all corporations and persons that might be interested in operating a bus company in the event American Transit Corporation stopped their service July 31st. A meeting was held July 15th, attended by Mr. Clyde Malone, Manager, Austin Transit; Mr. Bob Bonesteel, Vice President American Transit Corporation; Mayor Travis LaRue, and Mr. Barr McClellan, Attorney for Austin Transit, and himself, City Manager. The purpose was to discuss proposals by the Austin Transit Company verbally for continued operation of the transit system. Answers by Mr. Bonesteel to questions asked were generally as follows:

1. Under no conditions would American Transit operate past July 31st under the present operation procedure.
2. Any plan to operate in the future would be on the basis of a "no risk" operation by the company.

Three plans of operation in which American Transit would be interested were:

1. A complete buy-out of all properties by the City. (If the City purchased on terms, the company would change the going rate of interest and require a management contract at 8% until full payment was made)
2. A lease of all properties, with a management contract at 8%.
3. A guaranteed return of 8% to the company through a management contract.

Mr. Malone and Mr. Bonesteel expressed interest in bidding or negotiating a contract for operation of the system based on a guaranteed hourly rate, although the better busses were being moved out of Austin July 18th.

The City Manager reported meeting with Transportation Enterprises, Inc. The results of such meeting are set out as follows:

1. T.E.I. is not willing to take over the service if abandoned by Austin Transit.
2. T.E.I. would be interested in operating this system on an hourly rate beginning August 1, 1970, using initially used school bus equipment. New equipment similar to that used in the shuttle bus service would be secured around January 1, 1971.
3. T.E.I. would desire a one-year contract with renewal options of one year each for four renewals and a performance bond that would apply to continuous operation and to provide for 60 days' operation at the end of any contract period if the two parties could not agree on a renewal.
4. The Company after a reasonable time would operate a different type of equipment if so desired by the City, and would ask for an adjustment in the hourly rate.

The City Manager stated this Company is amenable to a negotiated or bid contract which would provide an hourly payment for bus-hours operated. The hours of bus operation, the routes and schedules would be subject to Council approval.

The City Manager reported on possible Federal aid that might be forthcoming, which is more applicable, however, to an operating concern than one initially going into business. He listed different types of grants that might be applicable in this instance. He mentioned a survey that had been made which contained quite a bit of interesting and informational data.

In answer to Councilman Gage's inquiry, the City Manager, stated he knew of no transportation system across the country that would be interested in this service; that actually companies are down nationally into roughly two companies--the American Transit which is going out of business, and Transportation Enterprise, Inc. Across the country, the transit companies are going out and going into the management field.

The Council discussed different facets of the bus operations, bids, and contracts. Both the Mayor and Councilman MacCorkle favored one company to operate the shuttle bus system for the University and also the transit system for the City. It was agreed that Council action must be forthcoming soon to take care of the riding public.

In discussing the calling for proposals, the City Manager wanted official or public notice that anyone desiring to make proposals to seal them and have them in the Council Room by 4:00 P.M. Tuesday. The City Attorney noted this would be an emergency and public calamity situation where by the usual 14 days notice could be waived. General discussion followed. Mr. Conwell Smith, T.E.I. called attention to the brief time one would have in which to secure a performance bond, and to get organized. The Mayor stated the Council did recognize the urgency.

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At Councilman Gage's request the City Manager made a report on public ownership of a transit system, stating if the City went into the air-conditioned coach type as have been associated with transit services, it would cost the City, if and when the buses could be secured, approximately \$35,000 each. It would take 33 buses to man the present routes, at about \$1,100,000. To go into the shop operation, there would be approximately \$250,000 - \$300,000; altogether with about \$2,000,000 this could be done. To operate the school-bus type it would take 60 days to get into operation.

Members of the Council at this time expressed themselves as not being ready to go into a municipal bus service.

After extensive discussion, Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Austin Transit Corporation has given notice that it will discontinue operations under its present franchise after July 31, 1970, which creates an emergency making it necessary to act at once to relieve the necessity of the citizens of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That an emergency be declared making it necessary to waive the time provisions for advertising for competitive bids and that the City Council accept written proposals to operate a bus system within the City of Austin, such proposals to be opened in the Council Chambers at City Hall at 4:00 o'clock P.M., Tuesday, July 21, 1970. By taking this action, the City of Austin does not waive any rights it may have against Austin Transit Corporation for abandoning its franchise, nor concede that such franchise is not now a valid, subsisting franchise.

The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Out of Room at Roll Call: Councilman Janes

The Council felt it would want to make some disposition of the request of Austin Transit Company. Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has heretofore called and has held a public hearing to consider any and all modifications of route schedules and route or schedule deletions requested by Austin Transit Corporation, and a determination to restore the gross operating ratio of such Company to 92%; and,

WHEREAS, such Company has presented no evidence in connection with any of the above and has wholly failed to proceed at such public hearing, or at any other time, to substantiate the above requests; and,

WHEREAS, the Company has indicated that it does not, under any circumstances intend to continue to operate within the City after July 31, 1970 under its present franchise, regardless of any such route and schedule adjustments, changes or deletions or restoration of its gross operating ratio; Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That this City Council finds that it has no alternative except to consider that Austin Transit Corporation has abandoned any and all requests, whenever made, for:

- (1) A determination which would restore its gross operating ratio to 92%, in the event it is ascertained that same is now in excess of such percentage;
- (2) A modification of route schedules where it is deemed that monthly revenues are less than out-of-pocket expenses.

The Council therefore finds and determines that such Company has abandoned any and all requests as described in this Resolution for want of prosecution and will consider same abandoned for all purposes without prejudice to such Company to refile same.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Out of Room at Roll Call: Councilman Janes

EXECUTIVE MEETING - LAND TRANSACTIONS

The Council resumed its open meeting after the Executive Meeting to discuss land transactions.

The City Attorney stated Resolutions covering these transactions would be brought in July 23rd.

CALLED MEETING

Councilman Gage moved the Council meet Tuesday July 21, 1970, at 3:45 P.M. in the Council Chamber to accept proposals for a bus service. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Johnson, MacCorkle, Price, Mayor LaRue

Noes: None

Out of Room at Roll Call: Councilman Janes

July 16, 1970

RATE CONSULTANT SELECTED

Councilman Price moved the Council authorize the City Manager to engage R. W. Beck as a rate consultant with the understanding that they would be back at 2:00 p.m. July 30, 1970 so that the Council could consider to what extent their services would be used. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, Johnson, MacCorkle, Price,
Mayor LaRue

Noes: None

Absent: Councilman Gage

ITEM POSTPONED

The Council took no action on the following item:

Consider resolution authorizing eminent domain proceedings of Shoal Creek sanitary sewer line easement across the Joe R. Hornaday property at 4000-4100 blocks of Shoal Creek area in back of 4005-4107 Shoal Creek Boulevard.

SIDEWALK REPORT

The City Manager distributed to the Council a report on sidewalks.

ADJOURNMENT

The Council then adjourned.

APPROVED: _____

Mayor

ATTEST: _____

City Clerk